

Remarks

Entry of the above-noted amendments, reconsideration of the application, and allowance of all claims pending are respectfully requested. By this amendment, claims 1, 3, 6, 14, 15, 17, and 20 are amended and claims 21-22 are canceled. These amendments to the claims constitute a bona fide attempt by applicants to advance prosecution of the application and obtain allowance of certain claims, and are in no way meant to acquiesce to the substance of the rejections. Support for the amendments can be found throughout the specification (e.g., page 2, lines 8-10; page 8, lines 7-10; page 12, line 21 to page 13, line 1), figures (e.g., FIG. 2), and claims (e.g., claims 9-10 and previous claims 21-22) and thus, no new matter has been added. Claims 1-20 are pending.

Claim Rejections - 35 U.S.C. § 103

Claims 1-9 and 11-22 were rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Constantinof (U.S. Patent Appl. Pub. No. 2004/0228352) in view of Barak et al. (U.S. Patent Appl. Pub. No. 2002/0126821; "Barak"). Claim 10 was rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Constantinof in view of Barak and further in view of Barnes (U.S. Patent Appl. Pub. No. 2005/0136949). These rejections are respectfully, but most strenuously, traversed.

Applicant respectfully submits that the Office Action's citations to the applied references, with or without modification or combination, assuming, *arguendo*, that the modification or combination of the Office Action's citations to the applied references is proper, do not teach or suggest restrictions on incoming communication sessions terminated to the mobile communication device, as recited in applicant's independent claim 1.

For explanatory purposes, applicant discusses herein one or more differences between the claimed invention and the Office Action's citations to Constantinof, Barak, and Barnes. This discussion, however, is in no way meant to acquiesce in any characterization that one or more parts of the Office Action's citations to Constantinof, Barak, or Barnes correspond to the claimed invention.

Constantinof fails to disclose restrictions on incoming communication sessions terminated to the mobile communication device. This point is conceded by the Office Action (page 6, section 9).

The Office Action suggests a combination with Barak. However, Barak also fails to disclose the restrictions on incoming communication sessions terminated to the mobile communication device. Barak discloses restrictions on *outgoing* calls from the user of the subscribed telephone (para. 22, lines 9-11; para. 28, lines 1-5; FIGS. 2A and 3). Barak fails to make any mention of an incoming call or a call terminated to the subscribed telephone.

Barnes discloses:

An authorized user may program the device to monitor and/or restrict the use of the device by one or more restricted users. (paragraph 298, lines 1-3)

The restrictions are stored in the device and prevent the device from being used in commercial exchanges, communications or for other uses for which a restriction exists (i.e., stored in memory). (paragraph 298, lines 26-29)

Barnes discloses that the restrictions are stored within the device. Barnes fails to disclose a network component or an application server component that advises the network component for control of the connections. Barnes discloses a different principle of operation than Constantinof or Barak. For example, Barnes discloses the device that stores restrictions while Constantinof and Barak disclose a service node and session filter for restrictions, respectively.

Accordingly, applicants respectfully submit that the §103 combination of Barnes with Constantinof or Barak is improper (MPEP §2143.01 paragraph 6).

Withdrawal of the § 103 rejections is therefore respectfully requested.

In view of the above amendments and remarks, allowance of all claims pending is respectfully requested. If a telephone conference would be of assistance in advancing the prosecution of this application, the Examiner is invited to call applicants' attorney.

Respectfully submitted,



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